



Claire Bourgault &lt;claire.bourgault@easymile.com&gt;

**RE: Importation of vehicles SN030 + SN033 / EPA document**

1 message

Imports &lt;Imports@epa.gov&gt;

24 février 2017 à 15:08

À : Claire Bourgault &lt;claire.bourgault@easymile.com&gt;

Cc : "Jorquera, Mario" &lt;Jorquera.Mario@epa.gov&gt;, "Hemenover, Neal" &lt;neal.hemenover@transdev.com&gt;, Guillaume Drieux &lt;guillaume.drieux@easymile.com&gt;, Xavier Salort &lt;xavier.salort@easymile.com&gt;

Claire Bourgault,

Correct, as long as the vehicle is not defined as a motor vehicle and is pure electric.

David C. Hurlin

EPA Imports Line, Exemptions

Managed by Jacobs, Contractor to the U.S. EPA

Phone: (734) 214-4098 or 4100

Fax: (734) 214-4676

**From:** Claire Bourgault [mailto:claire.bourgault@easymile.com]**Sent:** Friday, February 24, 2017 9:06 AM**To:** Imports <Imports@epa.gov>**Cc:** Jorquera, Mario <Jorquera.Mario@epa.gov>; Hemenover, Neal <neal.hemenover@transdev.com>;

Guillaume Drieux &lt;guillaume.drieux@easymile.com&gt;; Xavier Salort &lt;xavier.salort@easymile.com&gt;

**Subject:** Re: Importation of vehicles SN030 + SN033 / EPA document

Thank you for your answer.

If I understand well then, we do not have to provide the EPA document for any importation of our vehicle in USA as it is not considered as a motor vehicle?

Best regards,

2017-02-24 14:51 GMT+01:00 Imports &lt;Imports@epa.gov&gt;:

Claire Bourgault,

If a vehicle is not defined as a motor vehicle (40 CFR 85.1703) then you would need to look at the nonroad and/or off-road (recreational vehicle) regulations and currently there are no regulations for pure electric nonroad and/or off-road vehicles. Pure electric vehicles that can travel a speed of more than 25 Mph would be defined as a motor vehicle and would be regulated. As you stated that these are pure electric vehicles and do not do more than 25 MPH over level paved surfaces, then they would not be regulated by EPA.

**§85.1703 Definition of motor vehicle.**

(a) For the purpose of determining the applicability of section 216(2), a vehicle which is self-propelled and capable of transporting a person or persons or any material or any permanently or temporarily affixed apparatus shall be deemed a motor vehicle, unless any one or more of the criteria set forth below are met, in which case the vehicle shall be deemed not a motor vehicle:

- (1) The vehicle cannot exceed a maximum speed of 25 miles per hour over level, paved surfaces; or
- (2) The vehicle lacks features customarily associated with safe and practical street or highway use, such features including, but not being limited to, a reverse gear (except in the case of motorcycles), a differential, or safety features required by state and/or federal law; or
- (3) The vehicle exhibits features which render its use on a street or highway unsafe, impractical, or highly unlikely, such features including, but not being limited to, tracked road contact means, an inordinate size, or features ordinarily associated with military combat or tactical vehicles such as armor and/or weaponry.

David C. Hurlin

EPA Imports Line, Exemptions

Managed by Jacobs, Contractor to the U.S. EPA

Phone: (734) 214-4098 or 4100

Fax: (734) 214-4676

**From:** Claire Bourgault [mailto:claire.bourgault@easymile.com]

**Sent:** Friday, February 24, 2017 8:02 AM

**To:** Imports <Imports@epa.gov>

**Cc:** Jorquera, Mario <Jorquera.Mario@epa.gov>; Hemenover, Neal <neal.hemenover@transdev.com>;

Guillaume Drieux <guillaume.drieux@easymile.com>; Xavier Salort <xavier.salort@easymile.com>

**Subject:** Re: Importation of vehicles SN030 + SN033 / EPA document

Hello,

Following our phone conversation, the vehicles are 100% electric and autonomous ones. There is no driver.

I place enclosed a fuller descriptive of the vehicles EZ10.

Do not hesitate contacting me for any further question.

Best regards

2017-02-24 13:48 GMT+01:00 Imports <Imports@epa.gov>:

Claire Bourgault,

27/02/2017

Messagene EasyMile - RE: Importation of vehicles SN030 + SN033 / EPA document

Please explain what these vehicles are and the purpose of importing them.

David C. Hurlin

EPA Imports Line, Exemptions

Managed by Jacobs, Contractor to the U.S. EPA

Phone: (734) 214-4098 or 4100

Fax: (734) 214-4676

**From:** Claire Bourgault [mailto:claire.bourgault@easymile.com]

**Sent:** Friday, February 24, 2017 3:17 AM

**To:** Imports <Imports@epa.gov>

**Cc:** Jorquera, Mario <Jorquera.Mario@epa.gov>; Hemenover, Neal <neal.hemenover@transdev.com>;

Guillaume Drieux <guillaume.drieux@easymile.com>; Xavier Salort <xavier.salort@easymile.com>

**Subject:** Re: Importation of vehicles SN030 + SN033 / EPA document

Hello,

Thank you for your email.

First question: I saw in your EPA document explanation, that vehicles not able to drive faster than 25 mph are not considered as motor vehicles by EPA. As you can see on our website, our vehicles are limited to 20km/h (12,5 mph). Does that mean we do not have to fill the EPA document?

Concerning your question, the vehicles SN030 + SN033 will be imported for the purposes of demos with the city of Arlington. Please find enclosed the document we sent to NHTSA. Coleman Sachs will send us the letter of approval soon.

Please confirm which box you think is best for us to check and let us know how to get the EPA approval document.

Our importer Transdev can contact you if you need more information.

Best regards,

2017-02-23 20:09 GMT+01:00 Imports <Imports@epa.gov>:

Ms. Bourgault,

Can you explain the purpose of importing these two vehicles and what they will be using them for?

27/02/2017

Messagene EasyMile - RE: Importation of vehicles SN030 + SN033 / EPA document

David C. Hurlin

EPA Imports Line, Exemptions

Managed by Jacobs, Contractor to the U.S. EPA

Phone: (734) 214-4098 or 4100

Fax: (734) 214-4676

**From:** Jorquera, Mario

**Sent:** Thursday, February 23, 2017 1:37 PM

**To:** Claire Bourgault <claire.bourgault@easymile.com>; Imports <Imports@epa.gov>

**Cc:** Hemenover, Neal <neal.hemenover@transdev.com>; Guillaume Drieux <guillaume.drieux@easymile.com>; Xavier Salort <xavier.salort@easymile.com>

**Subject:** RE: Importation of vehicles SN030 + SN033 / EPA document

Ms. Bourgault:

Code Y cannot be used for any vehicle with a model year newer than 2004, so I do not recommend its use. Electric vehicles that can be used on roads or highways are still required to be certified by EPA, though the certification process is fairly simple.

Code K is pertinent if the vehicles are only for display purposes. Alternatively, Code I can be used if the vehicles are to be used in a testing or demonstration mode.

I have forwarded your inquiry to EPA's Imports Hotline, which is the office at EPA responsible for responding to inquiries such as yours. They are also the office that issues EPA letters of approval.

The EPA Imports Hotline can be reached by email at [imports@epa.gov](mailto:imports@epa.gov), or by phone at 734-214-4100.

Regards,

Mario Jorquera, P.E., Senior Engineer

Vehicle and Engine Enforcement Branch

Air Enforcement Division

U.S. Environmental Protection Agency

Phone: (202) 564-1079

Fax: (202) 564-0069

email: [jorquera.mario@epa.gov](mailto:jorquera.mario@epa.gov)

Help eliminate environmental violations - report tips and complaints at:

<http://www.epa.gov/compliance/complaints/index.html>

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**From:** Claire Bourgault [mailto:claire.bourgault@easymile.com]  
**Sent:** Thursday, February 23, 2017 1:03 PM  
**To:** Jorquera, Mario <Jorquera.Mario@epa.gov>  
**Cc:** Hemenover, Neal <neal.hemenover@transdev.com>; Guillaume Drieux <guillaume.drieux@easymile.com>; Xavier Salort <xavier.salort@easymile.com>  
**Subject:** Importation of vehicles SN030 + SN033 / EPA document

Hello,

I am Claire from the company Easymile (electric and autonomous vehicle).

We will be importing 2 vehicles in the USA in March.

I have a question regarding how to fill the documents:

- for the HS-7 of NHTSA we chose the box 7
- for the EPA document, we usually check the box Y. Can we still use this box? Or should we chose the box K?

If the box X must be chosen then, what information do you need in order to grant us the approval letter?

The importer of the vehicles, Transdev North America represented by Neal Hemenover will call you soon to discuss this matter.

Thank you in advance for your precious help.



27/02/2017

Messagene EasyMile - RE Importation of vehicles SN030 + SN033 / EPA document

Best regards,



Claire Bourgaud  
Exports & Logistics

3 Avenue Didier Daurat - www.easymile.com  
31400 Toulouse - France - Tel : 05 61 23 11 49



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Claire Bourgaud

27/02/2017

Messagene EasyMile - RE: Importation of vehicles SN030 + SN033 / EPA document



Experts & Logistics

6 Avenue Didier Daurat www.easymile.com  
31400 Toulouse, France +33 7 67 57 13 43



Karl Iagnemma  
Co-Founder and CEO  
nuTonomy, Inc.  
One Broadway, CIC  
Cambridge, MA 02142

November 8, 2016

David C. Hurlin  
Environmental Protection Agency  
Compliance Division  
Light-Duty Vehicle Center  
2000 Traverwood Drive  
Ann Arbor, MI 48105

Dear Mr. Hurlin:

I write on behalf of nuTonomy, Inc., a Delaware corporation with its principal place of business in Cambridge, Massachusetts, to respectfully request two testing exemptions to the Clean Air Act's vehicle import prohibitions, pursuant to 42 U.S.C. § 7522(b)(1). NuTonomy researches and develops software for autonomous vehicles. We ultimately aim to provide a fully autonomous mobility-on-demand service to the consumer market.

In September, you approved a testing exemption for one of our electric Renault ZOE's. We appreciate the exemption very much. Now, as we expand our testing in the United States, we would like to import two additional Renault ZOE's. This letter explains nuTonomy's testing plans in further detail and demonstrates that our request complies with 40 C.F.R. § 85.1705.

The specifics of the vehicles are as follows:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN#</u>
2016	Renault	ZOE	(b)(6)
2016	Renault	ZOE	(b)(6)

**Purpose**

The purpose of nuTonomy's proposed test program is to (b)(4)  
(b)(4)

<sup>1</sup> See 40 C.F.R. § 85.1705(a)(1) (requiring that "the proposed test program has a purpose which constitutes an appropriate basis for an exemption"); see also id. § 85.1705(b) (defining "an appropriate purpose" as "one which is consistent with one or more of the bases for exemption set forth under section 203(b)(1), namely, research, investigations, studies, demonstrations, or training").



(b)(4)



### Necessity

(b)(4)



(b)(4)



<sup>2</sup> See *LTA to Launch Autonomous Mobility-on-Demand Trials*, LAND TRANSP. AUTH. (Aug. 1, 2016), <https://www.lta.gov.sg/apps/news/page.aspx?c=2&id=73057d63-d07a-4229-87af-f957e7f89a27>.

<sup>3</sup> See 40 C.F.R. § 85.1705(a)(2) (requiring that “the proposed test program necessitates the granting of an exemption”); see also *id.* § 85.1705(c) (explaining that “necessity arises from an inability to achieve the stated purpose in a practicable manner without performing or causing to be performed one or more of the prohibited acts under section 203(a)”).

<sup>4</sup> See *Ventes Mensuelles*, RENAULT, <https://group.renault.com/finance/informations-financieres/chiffre-cles-ventes-mensuelles> (last updated June 2016) (listing the latest available sales figures by jurisdiction).

<sup>5</sup> *Official Renault ZOE 2013 safety rating results*, EURO NCAP, <http://www.euronecap.com/en/results/renault-zoe-8889> (last updated 2016).

<sup>6</sup> RENAULT, RENAULT ZOE 26 (July 1, 2016), available at [https://www.edn.renault.com/content/dam/Renault\\_UK/brand-and-editorial/Brochures/Vehicules/zoe-brochure-jul.pdf](https://www.edn.renault.com/content/dam/Renault_UK/brand-and-editorial/Brochures/Vehicules/zoe-brochure-jul.pdf).

<sup>7</sup> See, e.g., SIMONA NOBILI ET AL., 16 CHANNELS VELODYNE VERSUS PLANAR LIDARS BASED PERCEPTION SYSTEM FOR LARGE SCALE 2D-SLAM (2015), available at [http://ppmv15.ircyn.ec-nantes.fr/material/session3/Nobili\\_paper.pdf](http://ppmv15.ircyn.ec-nantes.fr/material/session3/Nobili_paper.pdf); SALVADOR DOMINGUEZ, LOCALIZATION SYSTEM OF THE ICARS PROJECT (2015), available at <http://robotex.intranet.unistra.fr/robotex/images/11f/Sys%20a3%20me%20de%20localisation%20du%20projet%20ICARS.pdf>; Mihai Chiriac et al., *Autonomous Valet Parking System Architecture*, 2015 IEEE 18TH INT'L CONF. INTELLIGENT TRANSP. SYS., available at <http://dx.doi.org/10.1109/ITSC.2015.421>.

<sup>8</sup> See 40 C.F.R. § 85.1705(c) (“In appropriate circumstances time constraints may be a sufficient basis for necessity.”).



nuTonomy

One Broadway, CIC  
Cambridge, MA 02142

(b)(4)

(b)(4)

### Reasonable Scope

NuTonomy's testing plans with the ZOE's are limited to our research and training objectives.<sup>10</sup> We expect that the tests will last no more than 36 months.<sup>11</sup> We will soon start testing with the 2016 Renault ZOE that was approved in September, and we anticipate that the two additional ZOE's will suffice for the foreseeable future.<sup>12</sup>

### Control

NuTonomy's testing procedures are aligned with our research and training goals and are amenable to EPA monitoring.<sup>13</sup> We will be conducting two types of tests. First, we will be

(b)(4)

<sup>10</sup> Mark R. Rosekind, Remarks: Automated Vehicles Symposium 2016 (July 20, 2016), available at <http://www.nhtsa.gov/About%20NHTSA/Speeches/%20Press%20Events%20&%20Testimonies/mr-2016-av-symposium-07202016>.

<sup>11</sup> See *id.* § 85.1705(a)(3) (requiring that "the proposed test program exhibits reasonableness in scope").

<sup>12</sup> See *id.* § 85.1705(d)(1) (requiring that applicants provide "[a]n estimate of the program's duration").

<sup>13</sup> See *id.* § 85.1705(d)(1) (requiring that applicants provide "[t]he maximum number of vehicles or engines involved").

<sup>14</sup> See *id.* § 85.1705(a)(4) (requiring that "the proposed test program exhibits a degree of control consonant with the purpose of the program and the [EPA's] monitoring requirements"); see also *id.* § 85.1705(e) (providing that "the test program must incorporate procedures consistent with the purpose of the test and be capable of affording EPA monitoring capability").

<sup>15</sup> See *id.* § 85.1705(e)(1) (requiring that applicants include "[t]he technical nature of the test").

<sup>16</sup> See *id.* § 85.1705(e)(2) (requiring that applicants include "[t]he site of the test").

<sup>17</sup> See *id.* § 85.1705(e)(3) (requiring that applicants include "[t]he time or mileage duration of the test").

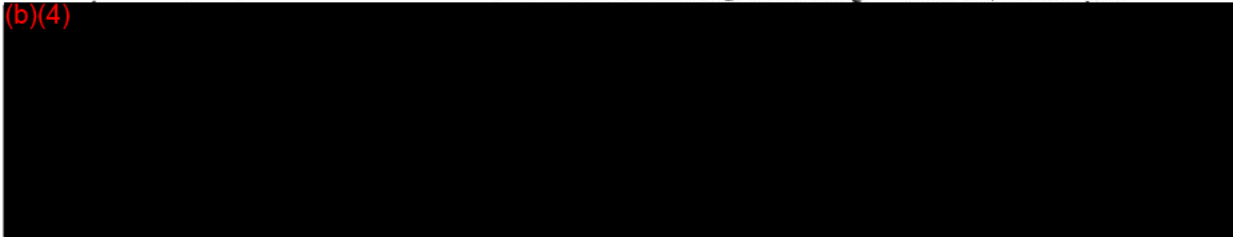


nuTonomy

One Broadway, CIC  
Cambridge, MA 02142

NuTonomy will retain ownership of the ZOE's during the testing.<sup>17</sup> When the testing is

(b)(4)



\* \* \*

For these reasons, nuTonomy respectfully requests two testing exemptions to the Clean Air Act's vehicle import prohibitions, pursuant to 42 U.S.C. § 7522(b)(1). Please do not hesitate to contact us if we can provide any further information. We appreciate your consideration of our request.

Cordially,

Karl Iagnemma  
CEO and Co-Founder  
nuTonomy, Inc.  
karl@nutonomy.com

For any questions, please contact:

Matthew Wansley  
General Counsel  
nuTonomy, Inc.  
matt@nutonomy.com  
703.969.8458

<sup>17</sup> See *id.* § 85.1705(e)(4) (requiring that applicants include "[t]he ownership arrangement with regard to the vehicles or engines involved in the test").

<sup>18</sup> See *id.* § 85.1705(e)(5) (requiring that applicants include "[t]he intended final disposition of the vehicles or engines").

<sup>19</sup> See *id.* § 85.1705(e)(6) (requiring that applicants include "[t]he manner in which vehicle identification numbers or the engine serial numbers will be identified, recorded, and made available").

<sup>20</sup> See *id.* § 85.1705(e)(7) (requiring that applicants include "[t]he means or procedure whereby test results will be recorded").



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
2565 PLYMOUTH ROAD  
ANN ARBOR, MICHIGAN 48105-2498

OFFICE OF  
AIR AND RADIATION

Exemption Number: 2017-MAY-LD-TEST-I-7303

05/08/2017

Karl Iagnemma  
CEO and Co-Founder  
nuTonomy, Inc.  
One Broadway, CIC  
Cambridge, MA 02142

Dear Karl Iagnemma:

This letter is in response to your request received on May 02, 2017 for a testing exemption for a nonconforming vehicle(s) or engine(s) under EPA regulations at 40 CFR 85.1511(b)(2). Based on the information you have provided to us and subject to the terms and conditions set forth below, EPA approves this exemption request for the following vehicle(s)/engine(s):

QUANTITY	MAKE	MODEL	MODEL YEAR	ID TYPE	ID NUMBER
1	Renault	ZOE	2017	Vehicle Identification Number	(b)(6)
1	Renault	ZOE	2017	Vehicle Identification Number	(b)(6)

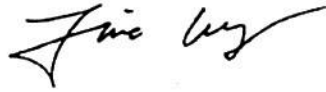
This testing exemption is valid from May 08, 2017 until May 08, 2018. This testing exemption covers the subject vehicle(s)/engine(s) only under your full compliance with the enclosed Terms and Conditions. As outlined in the terms and conditions, at the end of the testing period, you must either request an extension of the exemption from the EPA prior to the expiration date or remove the vehicle(s)/engine(s) from exempt status.

A breach of any term or condition shall cause the exemption granted pursuant to this approval to be void. Consequently, the introduction or delivery for introduction into commerce of the subject vehicle(s)/engine(s) other than in strict conformity with all terms and conditions of this approval shall constitute a violation of section 203 (a) (1) of The Clean Air Act, and may render the importer liable for a civil penalty of up to \$37,500 per violation under section 205 of the Clean Air Act. In addition, noncompliance may result in the seizure of the

vehicle(s)/engine(s) by U.S. Customs and Border Protection.

If you have any questions, please do not hesitate to contact David Hurlin at 734-214-4100 or e-mail to [imports@epa.gov](mailto:imports@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Linc Wehrly", with a stylized flourish at the end.

Linc Wehrly, Director  
Light-Duty Vehicle Center  
Compliance Division



Testing Exemption  
Terms and Conditions

If the requestor elects to accept the exemption, the requestor must:

- (a) Agree to conduct the testing program as described in the documentation provided with the initial request upon which this approval is based
- (b) Agree not to sell or otherwise transfer ownership to another party in the U.S.
- (c) Agree not to operate the vehicle(s) on public roads or highways in the U.S. except as necessary for the test program as described in the documentation provided with initial request upon which this approval is based
- (d) Create, maintain, and make available at reasonable times for review or copying by appropriate EPA officials records which provide each engine serial number or vehicle or equipment identification, indicate the use of the engine, vehicle or equipment on exempt status and indicate the final disposition of any engine, vehicle or equipment removed from exempt status; these records shall be maintained by the manufacturer for a period of one (1) year after the engine, vehicle or equipment has been removed from exempt status. For approved exemption requests where VIN(s) are not provided by the requestor at the time of approval, send quarterly reports of the appropriate numbers and dates of when the vehicle(s) are placed under exempt status and when removed from this exemption.
- (e) At the end of the testing period, either request an extension of the exemption from EPA prior to the expiration date or remove the vehicle(s)/engine(s) from exempt status by performing one of the following for each vehicle(s)/engine(s) that is removed from exempt status:
  - (1) Obtain prior EPA approval to extend the exemption (before the current exemption expires for a subsequent one year period) or
  - (2) Regain physical possession of the subject vehicle(s)/engine(s) and remove from commerce by exporting or destroying the vehicle(s)/ engine(s); or
  - (3) Return the vehicle(s)/engine(s) to the original certified configuration or obtain a certificate and certify the vehicle(s) in their new configuration.
- (f) Take steps as may be necessary to prevent any violations of the terms and



conditions for this exemption by any person.

This exemption shall be deemed to cover the subject vehicle(s)/engine(s) only under full compliance with the above terms and conditions. A breach of any term or condition shall cause the exemption to be void. Consequently, the introduction or delivery for introduction into commerce of the vehicles(s) other than in strict conformity with all terms and conditions shall constitute a violation of section 203 (a)(1) of the Clean Air Act, and you may be subject to a civil penalty of up to \$37,500 per violation under section 205 of the Clean Air Act, as well as other penalties. In addition, noncompliance may result in the seizure of the vehicle(s)/engine(s) by U.S. Customs and Border Protection.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
2565 PLYMOUTH ROAD  
ANN ARBOR, MICHIGAN 48105-2498

OFFICE OF  
AIR AND RADIATION

Exemption Number: 2016-AUGUST-LD-TEST-I-5982

10/11/2017

Karl Iagnemma  
CEO and Co-Founder  
nuTonomy, Inc.  
One Broadway, CIC  
Cambridge, MA 02142

Dear Karl Iagnemma:

This letter is in response to your request received on September 08, 2017 for an extension to Testing Exemption number 2016-AUGUST-LD-TEST-I-5982 for a nonconforming vehicle(s)/engine(s) that expires on September 08, 2017.

QUANTITY	MAKE	MODEL	MODEL YEAR	ID TYPE	ID NUMBER
1	Renault	ZOE	2016	Vehicle Identification Number	(b)(6)

The extension of your exemption is hereby granted subject to the terms and conditions issued with the original approval from October 11, 2017 until September 08, 2018.

Please note that this extension remains subject to the terms and conditions of the original approval and that "at the end of the testing period, either request an extension of the exemption from the EPA prior to the expiration date or remove the engines, vehicles or equipment from exempt status." Failure to do this may result in the exemption being void ab initio and lead to substantial penalties. Please retain a copy of this exemption for your files.

If you have any questions, please do not hesitate to contact David Hurlin at 734-214-4100 or e-mail to [imports@epa.gov](mailto:imports@epa.gov).

Sincerely,

Linc Wehrly, Director  
Light-Duty Vehicle Center  
Compliance Division